DECLARATION OF SERVICE BY U.S. MAIL

Case Name: Austin v. Subia, Warden

No.: C 07-5620 MHP (PR)

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004.

On May 23, 2008, I served the attached

ANSWER TO ORDER TO SHOW CAUSE

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF ANSWER

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at San Francisco, California, addressed as follows:

Andrew S. Austin No. V-94573 Mule Creek State Prison P.O. Box 409060 Ione, CA 95640

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on May 23, 2008, at San Francisco, California.

| S. Agustin | /s/ S. Agustin |
|------------|----------------|
| Declarant | Signature |

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